

**STATE OF WISCONSIN
SUPREME COURT
Case No. 99-3297-OA**

WISCONSIN PROFESSIONAL POLICE
ASSOCIATION, INC., JOHN CHAREWICZ,
DAVID MAHONEY, SUSAN ARMAGOST,
STEVEN URSO AND STATE ENGINEERING
ASSOCIATION, by its President,
THOMAS H. MILLER, DAVID BUSCHKOPF,
ROSS JOHNSON, MELVIN SENSENBRENNER,
BERNARD KRANZ and THOMAS H. MILLER,

Petitioners,

v.

GEORGE LIGHTBOURN, Secretary of
the Wisconsin Department of Administration,
JACK C. VOIGHT, Wisconsin State Treasurer,
WISCONSIN EDUCATION ASSOCIATION
COUNCIL, by its President, TERRY CRANEY
and its Vice-President, STAN JOHNSON, and
DONALD KRAHN, MARGARET GUERTLER,
GERALD MARTIN, and PHYLLIS POPE,

Respondents.

AFFIDAVIT OF MICHAEL E. BANKS

State of Wisconsin)

County of Dane) ss:
)

MICHAEL E. BANKS, having been first duly sworn on oath, hereby states as follows:

1. I am an attorney duly licensed to practice law in the State of Wisconsin. I am currently practicing law with the law firm of Haus, Resnick and Roman, LLP, Madison, Wisconsin and I am one of the attorneys representing Petitioners, the State Engineering Association, David Buschkopf, Ross Johnson, Melvin Sensenbrenner, Bernard Kranz and Thomas H. Miller (the "SEA Petitioners") in the above-captioned matter.

2. Attached to this Affidavit as Exhibits A-C are true and correct copies of correspondence received from counsel of record in this matter calling into question the status of the Complaint filed by the SEA Petitioners.

3. I attended and participated in the conference with Reserve Circuit Court Judge Michael J. Barron on February 21, 2000. The purpose of the conference was to commence the process of preparing a stipulation of facts, and identifying any disputed facts in accordance with this Court's February 10, 2000 Order.

4. During the course of the conference with Judge Barron, the status of the Complaint filed by the SEA Petitioners was called into question. Respondents indicated that they did not intend to answer the complaint filed by the SEA

Petitioners in the absence of an Order from this court indicating that the pleading filed by the SEA Petitioners stands as a complaint in this action. There was also discussion at this conference about whether it was necessary to include in the stipulation of facts those facts that are necessary for claims raised by the SEA Petitioners which are not included in the complaint filed by the Wisconsin Professional Police Association, et al. I indicated to those present at the conference that the SEA Petitioners would promptly seek clarification from this court concerning the status of the complaint filed by the SEA Petitioners.

5. To date, none of the Respondents have answered the complaint filed by the SEA Petitioners in this matter.

Dated at Madison, Wisconsin, this 23rd day of February, 2000

HAUS, RESNICK and ROMAN, LLP

Michael E. Banks

Subscribed to and sworn before me
this 23rd day of February, 2000

Notary Public, State of Wisconsin.
My commission is permanent.